

SENATE BILL REPORT

SB 6343

As Reported by Senate Committee On:
Labor & Commerce, January 24, 2018

Title: An act relating to establishing the healthy energy workers task force.

Brief Description: Establishing the healthy energy workers task force.

Sponsors: Senators Brown, Keiser, Hasegawa, Palumbo and Saldaña.

Brief History:

Committee Activity: Labor & Commerce: 1/22/18, 1/24/18 [DPS].

Brief Summary of First Substitute Bill

- Establishes the healthy energy workers taskforce to review information related to the presumption of occupational disease for Department of Energy (DOE) Hanford site workers; and to develop recommendations for successfully diagnosing and treating diseases of Hanford workers.
- Requires meetings and reports to the legislature.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: That Substitute Senate Bill No. 6343 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Hasegawa, Vice Chair; Braun, Conway, King, Kuderer, Saldaña and Wilson.

Staff: Susan Jones (786-7404)

Background: Under the state's Industrial Insurance Act, employers must insure through the state fund administered by the Department of Labor and Industries (L&I) or may self-insure, if qualified. Workers who, in the course of employment, are injured or disabled from an occupational disease are entitled to benefits. Depending on the injury or disability, workers are entitled to medical, temporary time-loss, and vocational rehabilitation benefits, as well as benefits for permanent disabilities. Occupational disease means such disease or infection as arises naturally and proximately out of employment. For certain firefighters, there is a prima facie presumption that the certain medical conditions are occupational diseases.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Through a special agreement with L&I, DOE operates as a self-insured employer for the purposes of providing coverage for workers of contractors at the Hanford Nuclear Reservation. In addition, there are federal programs that provide compensation to certain DOE workers.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (First Substitute): Subject to the availability of amounts appropriated for this specific purpose, the Healthy Energy Workers Task Force is established to:

- review the information generated through the presumption of occupational disease for DOE Hanford site workers; and
- develop recommendations for successfully diagnosing and treating diseases or other health problems experienced by workers, including contractors and subcontractors, who have performed work at the Hanford site.

The University of Washington, through the center of excellence for chemically related illness at Harborview Medical Center, and L&I, must provide administrative support to the task force, including making arrangements for the meetings.

The task force is appointed by the governor, subject to Senate confirmation, and is composed of the following members, serving a four-year term,:

- Representatives of DOE Richland operations office; Plumbers and Steamfitters Local Union 598, an organization that contracts to perform work for the United States at the Hanford site; a Washington labor union; and the Harborview Medical Center.
- the director of L&I; and
- the secretary of the Washington State Department of Health;

Medical professionals employed by the University of Washington or Harborview Medical Center may be invited by the director, in consultation with the University of Washington or Harborview Medical Center, to participate in an advisory capacity in task force meetings. The first meeting must be held by October 1, 2018, and at least two times per year thereafter.

The task force must focus on:

- an analysis of data for the participation and effectiveness of any presumption of occupational disease policy for Hanford workers;
- research and development of protocols for diagnosing diseases or other health problems that may be the result of hazardous substances exposure or other dangerous conditions at the site;
- research and development of patient monitoring or surveillance strategies that will result in the collection of data regarding long-term outcomes for workers who have been treated for diseases or other health problems that may be linked to working at the Hanford site;
- surveying data and information from other states and countries that may be helpful to developing strategies for diagnosing and treating diseases or other health problems that may be linked to working at the Hanford site; and
- discussing and making recommendations regarding public health programs that may be developed at the state level to benefit Hanford workers.

The task force must provide a report to the Legislature by December 1 each year beginning in 2019, documenting the activities of the task force and reporting on the subjects listed above. L&I may provide staff support to the task force for the report. Any member of the task force may provide a minority report.

EFFECT OF CHANGES MADE BY LABOR & COMMERCE COMMITTEE (First Substitute): Adds reviewing information generated through the presumption for Hanford site workers to the purpose of the task force; adds analysis of data as it pertains to the participation and effectiveness of any presumption of occupational disease policy for Hanford workers to the focus of the task force.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Proposed Substitute: *The committee recommended a different version of the bill than what was heard.* PRO: There have been some real problems with Hanford tanks leaking and vapor exposures. Over the past year or so, I have been working with Joel Sacks, L&I, and the top management at DOE, Richland to see what we can do. The workers are being seen and told to go back to work. The information is being put to the side and we are not getting to the crux of the issue. The crux of the issue is: what are they being exposed to and how is it going to impact them in the future? A couple of years ago, the center of excellence was established. If the center is expanded, maybe we could attract doctors with expertise in vapor exposure and help find a solution. It is important to get a baseline for the workers and monitor them going forward and use technological advances as they are developed.

This could help because physicians may be concerned with providing treatment if they do not know what chemicals the worker was exposed to. This is a great compliment to the presumption bill.

Persons Testifying: PRO: Senator Sharon Brown, Prime Sponsor; Nickolas Bumpaous, UA Plumbers & Steamfitters Local 598; Ian Goodhew, University of Washington Medicine, Harborview.

Persons Signed In To Testify But Not Testifying: No one.